

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

TYLER LEE CANARIS,

Plaintiff,

V.

MICHAEL MCMASTER, in his Individual Capacity as a former Deputy of the Paulding County Sheriff's Office, and **GARY GULLEDGE**, in his Individual and Official Capacity as Sheriff of Paulding County,

Defendants.

**CIVIL ACTION FILE NO:
4:23-cv-00215-WMR**

PLAINTIFF'S MOTION AND REQUEST TO LIFT STAY

NOW COMES Plaintiff, TYLER LEE CANARIS, and hereby request that the stay imposed by the Court be lifted and that the Parties be directed to proceed in the manner required by Federal Rule of Civil Procedure 26 and Local Rule 26. In support of this motion, Plaintiff shows the Court as follows:

On February 26, 2024, the Court granted a motion by Defendants to stay all proceedings in this case pending the outcome of misdemeanor obstruction charges against Plaintiff. (Doc. 17). In its ruling, the Court stated upon a final resolution of

the criminal proceedings against Plaintiff, any party may move for the stay imposed by the Court to be lifted.

On May 13, 2024, in the case of *State of Georgia v. Tyler Lee Canaris*, Case Number: 22-CR-000264, State Court of Paulding County, Judge Eric A. Brewton, of the State Court of Cobb County, issued an Order dismissing the accusation charging Plaintiff with misdemeanor obstruction. See Order Granting Defendant's Motion to Dismiss Accusation, attached as **Exhibit 1**.

WHEREFORE, for the reasons shown herein, Plaintiff request that the Court lift the stay imposed by the Court and instruct the Parties to proceed in the manner required by Federal Rule of Civil Procedure 26 and Local Rule 26.

Respectfully submitted this 6th day of June, 2024.

The Cochran Firm – Atlanta

/s/ Sam L. Starks

Sam L. Starks, Esq.

Georgia Bar No. 676515

100 Peachtree Street, NW, Suite 2600

Atlanta, Georgia 30303

Tel: (404) 222-9922

Fax: (404) 222-0170

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the **PLAINTIFF’S MOTION AND REQUEST TO LIFT STAY** upon all parties to this matter using the CM/ECF system which will automatically send email notification of such filing to counsel of record as follows:

Terry Williams, Esq.
Jason Waymire, Esq.
Williams & Waymire, LLC
4330 South Lee Street NE
Building 400-A
Buford, Georgia 30518
Counsel for Defendant Michael McMaster

Timothy Buckley, Esq.
Kelly L. Christopher, Esq.
2970 Clairmont Road N.E., Suite 650
Atlanta, Georgia 30329
Counsel for Defendant Gary Gullledge

This 6th day of June, 2024.

The Cochran Firm – Atlanta

/s/ Sam L. Starks
Sam L. Starks, Esq.
100 Peachtree Street, NW, Suite 2600
Atlanta, Georgia 30303
Tel: (404) 222-9922
Fax: (404) 222-0170